

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
MICHAEL S. HARTLEY,**

Plaintiff,

**9:14-cv-1366
(GLS/CFH)**

v.

RICHARD DEVLIN, JR., et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

MICHAEL S. HARTLEY
Plaintiff, *Pro Se*
12 Division Street
Apt. 1
Oneonta, New York 13820

FOR DEFENDANTS:

HON. BARBARA UNDERWOOD
New York Attorney General
The Capitol
Albany, New York 12224

RYAN W. HICKEY
Assistant Attorney General

**Gary L. Sharpe
Senior District Judge**

ORDER

The above-captioned matter comes to this court following a Report-Recommendation and Order by Magistrate Judge Christian F. Hummel, duly filed on July 30, 2018. (Dkt. No. 70.) Following fourteen days from

the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Report-Recommendation and Order for clear error, it is hereby

ORDERED that the Report-Recommendation and Order (Dkt. No. 70) is **ADOPTED** in its entirety; and it is further

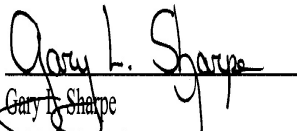
ORDERED that defendants' motion to dismiss pursuant to Rule 41(b) (Dkt. No. 67) is **GRANTED** and plaintiff's complaint (Dkt. No. 1) is **DISMISSED** without prejudice; and it is further

ORDERED that the clerk close this case; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules.

IT IS SO ORDERED.

August 27, 2018
Albany, New York


Gary L. Sharpe
U.S. District Judge